UNITED STATES DISTRICT COURT

T SEP 2 5 2012

Western District of Virginia

JULIA C. DUDLEY, CLERK BY: DEPUTY CLERKY

UNITED ST.	ATES OF AMERICA	JUDGMENT IN A CRIM	INAL CASE `	· V ()
	V.	Case Number: DVAW411CR	000038-002	
DERRICK EAN	ES	Case Number:		
		USM Number: 16339-084		
		Glenn L. Berger		
THE DEFENDAN	·T•	Defendant's Attorney		
pleaded guilty to coun				
pleaded nolo contende which was accepted	ere to count(s)			
was found guilty on cafter a plea of not gu	ount(s)			
The defendant is adjudic	cated guilty of these of	enses:		
Title & Section	Nature of Offe	use <u>O</u>	offense Ended	<u>Count</u>
		e and Possess with Intent to Distribute More than	12/6/10	1
The defendant is the Sentencing Reform		in pages 2 through6 of this judgment. T	he sentence is impo	sed pursuant to
☐ The defendant has be	en found not guilty on	ount(s)		
Count(s)	2, 3	is X are dismissed on the motion of the U	nited States.	
It is ordered th or mailing address until the defendant must noti	at the defendant must n all fines, restitution, cos fy the court and United	otify the United States attorney for this district within 30 ts, and special assessments imposed by this judgment are States attorney of material changes in economic circums 9/24/2012		
		9/24/2012 Date of Imposition of Judgment	1	
		achsen	S. Tus	· ·
		Signature of Judge	g. Tu	<u> </u>
		Signature of Judge Jackson L. Kiser, Senior United Senior	States District Judge	<u> </u>

AO 245B

DEFENDANT: DERRICK EANES

CASE NUMBER: DVAW411CR000038-002

IMPRISONMENT

Judgment - Page 2 of 6

	22.22			
The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: 38 months.				
	The court makes the following recommendations to the Bureau of Prisons:			
	The defendant is remanded to the custody of the United States Marshal.			
	The defendant shall surrender to the United States Marshal for this district:			
	at a.m p.m. on			
X	The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:			
	before on			
	as notified by the United States Marshal.			
	as notified by the Probation or Pretrial Services Office.			
	as notified by the Flobation of Florital Services Office.			
	RETURN			
I have	executed this judgment as follows:			
	Defendant delivered on to			
a	, with a certified copy of this judgment.			
	TOURS OF A TOUR AND A DOLLAR			
	UNITED STATES MARSHAL			
	Ву			
	DEPUTY UNITED STATES MARSHAL			

Judgment—Page 3 of 6

DEFENDANT: DERRICK EANES

AO 245B

CASE NUMBER: DVAW411CR000038-002

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of : 4 years.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such no tifications and to confirm the defendant's compliance with such notification requirement.

AO 245B	(Rev. 9/11 - VAW Additions 6/05) Judgment in a Criminal Case
	Sheet 3C - Supervised Release

DEFENDANT: DERRICK EANES

CASE NUMBER: DVAW411CR000038-002

Judgment-Page 4 of 6

SPECIAL CONDITIONS OF SUPERVISION

- 1. The defendant shall pay any special assessment that is imposed by this judgment.
- 2. The defendant shall reside in a residence free of firearms, ammunition, destructive devices, and dangerous weapons.
- 3. The defendant shall submit to warrantless search and seizure of person and property as directed by the probation officer, to determine whether the defendant is in possession of firearms or destructive devices.

AO 245B

DEFENDANT:

DERRICK EANES

CASE NUMBER: DVAW411CR000038-002

Judgment - Page 5 of 6

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

тот	Assessment FALS \$ 100.00	<u>Fine</u> \$	Restitution \$	<u>1</u>
	The determination of restitution is deferred after such determination.	until An Amended	Judgment in a Criminal Case (A	O 245C) will be entered
	The defendant must make restitution (inclu	ding community restitution) to th	e following payees in the amount	listed below.
	If the defendant makes a partial payment, in the priority order or percentage payment paid before the United States is paid.	each payee shall receive an approst column below. However, purs	oximately proportioned payment, uant to 18 U.S.C § 3664(i), all no	unless specified otherwise nfederal victims must be
<u>Nan</u>	ne of Payee	<u>Total Loss*</u>	Restitution Ordered	Priority or Percentage
то	TALS	\$0.00	\$0.00	
	Restitution amount ordered pursuant to p	olea agreement \$		
	The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).			
	The court determined that the defendant d	loes not have the ability to pay in	terest and it is ordered that:	
	the interest requirement is waived for	the fine restitution	on.	
	the interest requirement for the	fine restitution is mod	ified as follows:	

^{*}Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 13, 1996.

AO 245B

DEFENDANT:

DERRICK EANES

CASE NUMBER: DVAW411CR000038-002

SCHEDIII E OF DAVMENTS

Judgment - Page ____6__ of __

		SCHEDULE OF PATMENTS
Havi	ing as	ssessed the defendant's ability to pay, the total criminal monetary penalties are due immediately and payable as follows:
A	X	Lump sum payment of \$ 100.00 immediately, balance payable
		not later than, or in accordance
В		Payment to begin immediately (may be combined with $\square C$, $\square D$, $\square F$, or $\square G$ below); or
C		Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judgment; or
D		Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
E		Payment during the term of supervised release will commence within (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
F		During the term of imprisonment, payment in equal
G Any :		Special instructions regarding the payment of criminal monetary penalties: Ilment schedule shall not preclude enforcement of the restitution or fine order by the United States under 18 U.S.C §§ 3613 and
Any i lefen lefen	instal Idant Idant'	lment schedule is subject to adjustment by the court at any time during the period of imprisonment or supervision, and the shall notify the probation officer and the U.S. Attorney of any change in the defendant's economic circumstances that may affect the sability to pay.
All cı lisbu	rimin Irsem	al monetary penalties shall be made payable to the Clerk, U.S. District Court, P.O. Box 1234, Roanoke, Virginia 24006, for ent.
	defer	ndant shall receive credit for all payments previously made toward any criminal monetary penalties imposed. t and Several
		endant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, corresponding payee, if appropriate.
	The	defendant shall pay the cost of prosecution.
	The	defendant shall pay the following court cost(s):
	The	defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.